

**This order is SIGNED.**

**Dated: February 25, 2022**



**JOEL T. MARKER**  
**U.S. Bankruptcy Judge**



*msc*

*Order prepared by:*

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**IN THE UNITED STATES BANKRUPTCY COURT**  
**DISTRICT OF UTAH**

**In the Matter of:**

**Keith Kennington,**

**Debtor(s)**

Case No. 18-29308

Chapter 13

**Judge Joel T. Marker**

**ORDER RE: MOTION TO MODIFY TO PAY OFF EARLY, INCUR DEBT AND FOR**  
**ATTORNEY FEES**

Debtors filed a MOTION TO MODIFY TO PAY OFF EARLY, INCUR DEBT AND FOR ATTORNEY FEES and scheduled a hearing for December 30, 2021. Notice of the Motion was given to the parties as evidenced in the Certificate of Service. The Trustee was the only party to respond and the Trustee's objections have been resolved.

WHEREFORE, this Court, having reviewed the pleadings on file, being fully advised in the premises and good cause appearing, hereby ORDERS:

1. The Debtor is permitted to refinance his home and the plan is modified to permit early pay off;

2. The estimated pay off amount, including attorney fees awarded in this order, is \$8600.00;
3. Debtor shall provide the Chapter 13 Trustee with a copy of the closing documents within 3 business days of closing; and
4. Attorney fees in the amount of \$1500.00 are awarded as an administrative expense under 11 U.S.C. § 503(b) and that they are to be paid by the Chapter 13 trustee from property of the estate to the extent funds are available.

END OF ORDER

**DESIGNATION OF PARTIES TO BE SERVED**

Service of the foregoing Order RE MOTION TO MODIFY TO PAY OFF EARLY, INCUR DEBT AND FOR ATTORNEY FEES shall be served to the parties and in the manner designated below:

By Electronic Service: I certify that the parties of record in this case as identified below, are registered CM/ECF users and will be served notice of entry of the foregoing Order through the CM/ECF system:

Chapter 13 Trustee

E. Kent Winward, Counsel for Debtors

By U.S. Mail - In addition to the parties of record receiving notice through the CM/ECF system, the following parties should be served notice pursuant to Fed R. Civ. P. 5(b):

**Keith Kennington,**

1962 E 7700 S  
Ogden, UT 84405-0000

\_\_\_\_\_/s/\_\_\_\_\_  
E Kent Winward  
Abraham Smoot  
Attorneys for Debtor(s)